UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,192	03/19/2004	Brig Barnum Elliott	03-4041	6754

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EXAMINER
FIELDS, COURTNEY D

ART UNIT	PAPER NUMBER
2137	

NOTIFICATION DATE	DELIVERY MODE
09/15/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _01 July 2008_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-25_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-25_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 24 and 25 have been amended.

2.   Claims 1-25 are pending.

Response to Arguments

1.   Applicant's arguments filed 01 July 2008 have been fully considered but they are

not persuasive.

2.   Referring to the rejection of claims 1, 15, 16, and 24, the Applicant contends that

the prior art, Zweig et al. does not disclose, suggest, nor teach receiving in response to

the second message, a third message including data and a third integer, the third

integer serving to authenticate the third message. The Examiner respectfully disagrees

and asserts that Zweig et al. discloses authenticated and associated wireless units

(third and fourth integers) are accepted to receive information from the wireless

transceiver because the packets that contain the messages are associated with an

access point. If the integers were non-authenticated wireless units, the packets

containing the messages will not be forwarded to the wired backbone network (See

Column 7, lines 58-67, and Column 8, lines 1-4)

3.   Referring to the rejection of claims 13, 14, 23, and 25, the Applicant contends

that the prior art, Zweig et al. does not disclose, suggest, nor teach receiving, in

response to the clear to send message, a data message including the second integer,

the second integer serving to authenticate the data message. The Examiner respectfully

disagrees and asserts that Zweig et al. discloses a logic circuit located with the wireless

unit receiving by way of the wireless transceiver the multicast packet (e.g. the IAPP

multicast packet) transmitted by the associated access point that includes the control

signal for causing the wireless unit to perform RTS (request to send)/CTS (clear to

send) transmissions. In response to this control signal, the logic circuit sets a flag that

enables RTS (request to send)//CTS (clear to send) transmissions. The logic circuit will

thereafter transmit an RTS (request to send) packet prior to sending a data packet to

the associated access point by way of the wireless transceiver, and wait a pre-

determined time interval to receive a CTS (clear to send) packet from the associated

access point. If the logic circuit receives the CTS (clear to send) packet from the

associated access point within the pre-determined time interval, then the logic circuit

transmits the corresponding data packet during the reserved time slot following the

receipt of the CTS (clear to send) packet. If the logic circuit does not receive the CTS

(clear to send) packet within the pre-determined time interval, the logic circuit

retransmits another RTS (request to send) packet and repeats the same process again.

(See Column 13, lines 5-23)

4.   Therefore, the rejection of claims 1-25 are maintained in view of the reasons

above and in view of the reasons below.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

6.   Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Zweig

et al. (US Patent No. 7,154,854)

Referring to the rejection of claims 1, 15, 16, and 24, Zweig et al. discloses a

method, system, and computer-readable medium of medium access control comprising:

a processor (See Column 6, lines 13-17)

a memory (See Column 7, line 7 and Column 12, lines 35-36)

receiving a first message including a first integer; (See Column 13, lines 12-16)

sending a second message including a second integer, the second message

sent in response to the first message; (See Column 13, lines 16-20)

receiving, in response to the second message, a third message including data

and a third integer, the third integer serving to authenticate the third message, (See

Column 6, lines 62-67)

and sending in response to the third message, a fourth message including a

fourth integer, the fourth message serving to acknowledge receipt of the third message

(See Column 8, lines 29-36)

Referring to the rejection of claims 2 and 17, Zweig et al. discloses the claimed

limitation wherein using as the first, second, third, and fourth integers, the same value

(See Figure 5, and Column 10, lines 41-67, Column 11, lines 1-16)

Referring to the rejection of claims 3 and 18, Zweig et al. discloses the claimed

limitation wherein using, as the same value, a random integer (See Column 10, lines

58-63)

Referring to the rejection of claims 4 and 19, Zweig et al. discloses the claimed

limitation wherein using, as the same value, a pseudorandom integer (See Column 10,

lines 58-63)

Referring to the rejection of claims 5 and 20, Zweig et al. discloses the claimed

limitation wherein using, as the same value, a time value (See Column 10, lines 29-31)

Referring to the rejection of claims 6 and 21, Zweig et al. discloses the claimed

limitation wherein using, as the same value, a time value based on a Global Positioning

System (GPS) (See Column 3, lines 40-50)

Referring to the rejection of claims 7 and 22, Zweig et al. discloses the claimed

limitation wherein using, as the first integer, a nonce value, the nonce value being

based on one or more of the following: a random integer, a pseudorandom integer, or a

time value (See Column 10, lines 5-11)

Referring to the rejection of claim 8, Zweig et al. discloses the claimed limitation

wherein using, as the first integer, a value that is a function of a nonce value (See

Column 10, lines 33-40)

Referring to the rejection of claim 9, Zweig et al. discloses the claimed limitation

wherein using, as the first message, a request to send message (See Column 13, lines

12-16)

Referring to the rejection of claim 10, Zweig et al. discloses the claimed limitation

wherein using, as the second message, a clear to send message (See Column 13, lines

16-20)

Referring to the rejection of claim 11, Zweig et al. discloses the claimed limitation wherein using the first, second, third, and fourth messages as the medium access control of a wireless network (See Column 6, lines 52-57)

Referring to the rejection of claim 12, Zweig et al. discloses the claimed limitation wherein using, as the first message, a request-to-send message, the request-to-send message providing media access control (See Column 13, lines 5-10)

Referring to the rejection of claims 13, 14, 23, and 25, Zweig et al. discloses a method, system, and computer-readable medium of medium access control in a wireless network comprising:

a processor (See Column 6, lines 13-17)

a memory (See Column 7, line 7 and Column 12, lines 35-36)

receiving a request to send message, the request to send message including a first integer, (See Column 13, lines 5-10)

sending in response to the received request to send message, a clear to send message including the first integer and a second integer, (See Column 13, lines 12-16)

receiving, in response to the clear to send message, a data message including the second integer, the second integer serving to authenticate the data message, (See Column 13, lines 16-20)

and sending in response to the received data message, an acknowledgement message including the first integer (See Column 8, lines 29-36)

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to COURTNEY D. FIELDS whose telephone number is

(571)272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00

pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Courtney D. Fields/
Examiner, Art Unit 2137
September 9, 2008

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2137